

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

Edward T. Kennedy

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Commissioner, Department  
of Treasury, Internal  
Revenue Service,  
et. AL

**COMPLAINT**

Jury Trial: ☐ Yes ☒ No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

**I. Parties in this complaint:**

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff	Name	<u>Edmund T. Kennedy</u>
	Street Address	<u>401 Tillinge Rd.</u>
	County, City	<u>Lehigh, Pennsylvania</u>
	State & Zip Code	<u>Pennsylvania, A 18031</u>
	Telephone Number	<u>415-275-1274</u>

1 of 10-  
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- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name see Attachment A  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

Defendant No. 2

Name See Attachment A  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

Defendant No. 3

Name See Attachment A  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

Defendant No. 4

Name See Attachment A  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions      ☐ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? \_\_\_\_\_

IRS - TAX

List of all Defendants.  
ATTACHMENT A

Commissioner  
Department of the Treasury  
Internal Revenue Service  
1111 Constitution Avenue, NW  
Washington  
District of Columbia 20224

John Doe  
Department of the Treasury  
Internal Revenue Service  
PO Box 219236, Stop P-4 5050  
Jackson, Kansas City  
Missouri 64121-9236

Equifax, Inc.  
1550 Peachtree Street, N.W.  
Fulton, Atlanta,  
Georgia 30309

Richard F. Smith, CEO  
Equifax, Inc.  
1550 Peachtree Street, N.W.  
Fulton, Atlanta,  
Georgia 30309

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2018

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship Pennsylvania

Defendant(s) state(s) of citizenship Missouri, D.C. (?)

### III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? \_\_\_\_\_

See Attachment B

B. What date and approximate time did the events giving rise to your claim(s) occur? \_\_\_\_\_

See Attachment B

C. Facts: See Attachment B

What  
happened  
to you?

Who did  
what?

Was  
anyone  
else  
involved?

Who else  
saw what  
happened?

Statement of Claim  
ATTACHMENT B

Bad Faith Collections Claim and Tort

A. Where did the events giving rise to my claim occur?

I am a victim of Identity Theft, and the IRS knows this.

IRS received my Form 14039 for my Identity Theft claim, IRS Notice CP01S, Notice Date December 18, 2017, caller ID is 479915.

Therefore, events are not known exactly or precisely known because Identity Theft and data breach are world wide now with the Internet. Therefore, my answer is worldwide.

B. What date and time did the events giving rise to my claim occur?

Today. I received a collection letter from the IRS for a bill for \$75,957.35 and demanded payment by February 14, 2018, and if not paid, threatened unlawful to take my Social Security benefits.

(Letter 1 - Attached)

C. Facts

1. I have submitted Affidavits of Identity theft to both the Internal Revenue Service at the Federal Trade Commission.

and  
S.M.

2. Equifax Corporation admitted they failed to protect my private data.

3. IRS is a customer of Equifax.

4. Equifax does not encrypt its data. and did not encrypt my data.

5. Defendant and Equifax, Inc. CEO Smith testified under oath on the public record before the US Congress that he was responsible for my data breach and identity theft, a breach of his fiduciary duty.

6. I did not amend a 2007 tax return.

7. A claim for a debt from 2007 is past the statute of limitations.

5 of 10.  
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Department of the Treasury  
Internal Revenue Service  
PO BOX 219236, STOP P-4 5050  
KANSAS CITY MO 64121-9236

Notice	CP91
Notice date	January 15, 2018
Social Security number	[REDACTED]
To contact us	1-800-829-7650
Your Caller ID	479915

Page 1 of 4

000819.673710.104457.8073 2 MB 0.423 1027  
[Barcode]

EDWARD T KENNEDY  
401 TILLAGE RD  
BREINIGSVILLE PA 18031-1839

## Intent to seize up to 15% of your Social Security benefits

### Amount due immediately: \$75,957.35

We haven't received full payment despite sending you several notices about your unpaid federal taxes. We will seize (levy) up to 15% of the Social Security benefits you receive in order to pay your unpaid federal taxes until they are paid in full. (Internal Revenue Code section 6331(h))

We have identified the following Social Security account information:

- Social Security Claim Account Number:  
197445450
- Beneficiary's Own Account Number:  
197445450

Don't contact the Social Security Administration. If you have any questions, please contact us at 1-800-829-7650.

#### Billing Summary

Amount you owed	\$52,950.81
Additional failure-to-pay penalty	8,179.50
Additional interest charges	14,827.04
<b>Amount due immediately</b>	<b>\$75,957.35</b>

Continued on back...



EDWARD T KENNEDY  
401 TILLAGE RD  
BREINIGSVILLE PA 18031-1839

Notice	CP91
Notice date	January 15, 2018
Social Security number	[REDACTED]



## Payment

- Make your check or money order payable to the United States Treasury.
- Write your Social Security number, the tax period(s) and form number(s) on your payment and any correspondence.

Amount due immediately

**\$75,957.35**

INTERNAL REVENUE SERVICE  
PO BOX 219236, STOP P-4 5050  
KANSAS CITY MO 64121-9236

*PP 5a 710*

197445450 DJ KENN 30 0 200712 670 00007595735

Memorandum of Law

1. Under Pennsylvania law a collection company must act with the "utmost good faith" and fair dealing toward me.
2. This fiduciary duty is with IRS to comply with US law.

4 of 10.  
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**IV. Injuries:**

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. \_\_\_\_\_

See Attachment 5

**V. Relief:**

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation. \_\_\_\_\_

See Attachment 12

Injuries

ATTACHMENT C

Intentional Infliction of emotional harm.

Loss of reputation as a Priest.

Loss of reputation as a Tax Accountant.

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Relief

ATTACHMENT D

1. Order Damages Intentional infliction of emotional distress at \$250,000.00
2. Punish defendants <sup>for 9/11</sup> from outrageous conduct and deter them from such outrageous conduct in the future. Award punitive damages against the insurer. Award punitive damages against CEOs Smith. Award punitive damages against Equifax Corporation.
3. Award damages based on present value of my loss of my reputation in two counties as a Roman Catholic Priest, a Sanctified Healer, and Federal Income Tax Accountant.
4. Award \$50,000 in legal fees required to defend against this or other frivolous claims for a non-existent debt.
5. Order all collections to cease for 2007 Tax return, and credit my account for \$75,957.35.

9 of 10  
9/11

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 17<sup>th</sup> day of January, 2018.

Signature of Plaintiff SL T. Kennedy  
Mailing Address 401 Tillman Rd.  
Bremersville, PA  
18031  
Telephone Number 415-275-1246  
Fax Number (if you have one) 484-930-0051  
E-mail Address Kennedy2018@  
ALUMNI.ND.edu

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: \_\_\_\_\_  
Inmate Number \_\_\_\_\_

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**COVER LETTER**

January 17th, 2018

Internal Revenue Service  
PO Box 219236, Stop P-4 5050  
Kansas City, MO 64121-9236

re: Notice - enclosed

Dear IRS Agent,

**CEASE AND DESIST**  
**Bad Faith Collections Claim and Tort Claim against IRS**

I am a victim of Identity Theft, and the IRS knows this.

IRS received my Form 14039 for my Identity Theft claim, IRS Notice CP01S, Notice Date December 18, 2017, caller ID is 479915.

Today, I received a collection letter from the IRS for a bill for \$75,957.35 and demanded payment by February 14, 2018, and if not paid, threatened unlawful to take my Social Security benefits.

1. I have submitted Affidavits of Identity theft to both the Internal Revenue Service at the Federal Trade Commission.
2. Equifax Corporation admitted they failed to protect my private data.
3. IRS is a customer of Equifax.
4. Equifax does not encrypt its data. and did not encrypt my data.
5. Defendant and Equifax, Inc. CEO Smith testified under oath on the public record before the US Congress that he was responsible for my data breach and identity theft, a breach of his fiduciary duty.
6. I did not amend a 2007 tax return.
7. A claim for a debt from 2007 is past the statute of limitations.

Sincerely,



Edward T Kennedy  
401 Tillage rd  
Breinigsville PA  
18031-18339

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